

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

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| BOBBIEJEAN HENDERSON, | : | Case No. 1:20-cv-824 |
| | : | |
| Plaintiff, | : | Judge Timothy S. Black |
| | : | |
| vs. | : | |
| | : | |
| COMMISSIONER OF SOCIAL SECURITY, | : | |
| | : | |
| Defendant. | : | |

**ORDER THAT: (1) THIS MATTER IS REMANDED TO THE COMMISSIONER
UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g); AND
(2) THIS CASE IS CLOSED**

This civil action is before the Court on the parties' joint motion for remand. (Doc. 17). The parties request the Court to order remand of this case for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g) and to enter judgment. Accordingly, the parties' joint request for remand (Doc. 17) is **GRANTED** and this matter is **REMANDED** back to the Commissioner for further administrative proceedings. Upon remand, the Administrative Law Judge ("ALJ") shall vacate the decision and conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is under a disability as defined by the Social Security Act.

In doing so, and as stipulated by the parties, the ALJ shall reconsider whether the severity of Plaintiff's impairments meet or equal a listed impairment, including, but not limited to, Listings 12.05 and 12.11, pursuant to the applicable regulations and policy. The ALJ shall not find Listing 12.05 not to be met or equaled simply because Plaintiff did not undergo intellectual testing prior to attaining age 22.

The Clerk shall enter judgment accordingly, whereupon this case is **CLOSED** in this Court.

IT IS SO ORDERED.

Date: 8/19/2021

s/Timothy S. Black
Timothy S. Black
United States District Judge